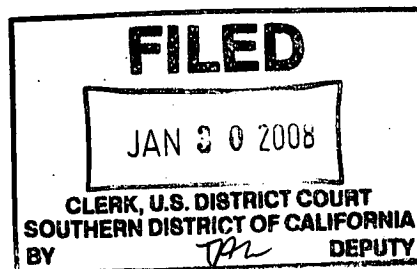


1059



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

'08 MJ 8088

UNITED STATES OF AMERICA

Plaintiff,

v.

Enrique ALEJOS-Rico (1)

Alejandro RODRIGUEZ-Urena (2)

Defendants.

Magistrate Case No.:

COMPLAINT FOR VIOLATION OF

21 U.S.C. § 952 and 960  
Importation of a Controlled  
Substance (Felony)

21 U.S.C. § 841(a)(1)  
Possession with Intent to  
Distribute (Felony)

18 U.S.C. § 2 - Aiding & Abetting

The undersigned complainant being duly sworn states:

COUNT I

That on or about January 9, 2008, within the Southern District of California, defendants Enrique ALEJOS-Rico and Alejandro RODRIGUEZ-Urena did knowingly and intentionally import approximately 69.58 kilograms (153.07 pounds) of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960 and Title 18, United States Code, Section 2.

//

//

//

//

COUNT II

*pcl* That on or about January <sup>9</sup>~~2~~, 2008, within the Southern District of California, defendants Enrique ALEJOS-Rico and Alejandro RODRIGUEZ-Urena did knowingly and intentionally possess, with intent to distribute approximately 69.58 kilograms (153.07 pounds) of marijuana, Schedule I Controlled Substance, in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.

  
LONNIE BRASBY  
Special Agent  
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 30<sup>TH</sup>  
DAY OF JANUARY 2008.

  
PETER C. LEWIS  
UNITED STATES MAGISTRATE JUDGE

1 UNITED STATES OF AMERICA

2 v.

3 Enrique ALEJOS-Rico (1)

4 Alejandro RODRIGUEZ-Urena (2)

5 STATEMENT OF FACTS

6 This Statement of Facts is based on the reports, documents, and notes  
7 furnished to U. S. Immigration and Customs Enforcement (ICE) Special Agent Lonnie  
8 Brasby.

9 On January 9, 2008, at approximately 1850 hours, Enrique ALEJOS-Rico entered  
10 the United States at the Calexico, CA, West Port of Entry. Enrique ALEJOS-Rico was  
11 the driver and sole occupant of a 1993 Mercury Villager van. ALEJOS-Rico was  
12 identified by his valid Border Crossing Card.

13 At primary inspection, ALEJOS-Rico gave a negative Customs declaration to  
14 Customs and Border Protection (CBP) Officer F. Iniguez. ALEJOS-Rico advised CBP  
15 Officer F. Iniguez he had purchased the vehicle recently as a Christmas gift for himself.  
16 ALEJOS-Rico and the vehicle were referred to the secondary lot for further  
17 examination.

18 In the vehicle secondary lot, ALEJOS-Rico gave CBP Officer J. Joles a negative  
19 Customs declaration and advised he was headed to Wal-Mart. Canine Enforcement  
20 Officer S. Parish then utilized his Narcotic Detector Dog, who alerted to the rear of the  
21 van. A subsequent inspection of the rear quarter panels and tailgate of the vehicle  
22 revealed several packages concealed inside. One of the packages inside the tailgate  
23 was probed and a sample of a green leafy substance was obtained, which field tested  
24 positive for marijuana. ALEJOS-Rico and the vehicle were then released to ICE agents  
25 conducting a controlled delivery of the vehicle.

26 ICE agents followed the vehicle to a parking space across the street from the  
27 Calexico Market on 2<sup>nd</sup> Street in Calexico. Agents observed ALEJOS-Rico putting  
28 change in the meter and then walking into the Calexico Market. ALEJOS-Rico then  
29

1 exited the Calexico Market and walked to Casa Bonita to use the telephone. Agents  
2 observed a second subject wearing a heavy black jacket, later identified as Alejandro  
3 RODRIGUEZ-Urena, approach ALEJOS-Rico and they began to talk. After speaking  
4 with ALEJOS-Rico, RODRIGUEZ-Urena was seen entering and looking around inside  
5 of the 1993 Mercury Villager. After a short period of time, the vehicle began to leave  
6 the area. During this time, ALEJOS-Rico was seen walking off westbound on 2<sup>nd</sup> Street  
7 towards the Calexico West Port of Entry.

8 ICE agents followed the vehicle to a residence located at 69-½ 7<sup>th</sup> Street in  
9 Heber, California, where the vehicle parked in the driveway. Awhile later, two subjects  
10 exited the residence and drove off in a white Chrysler PT Cruiser. Agents followed the  
11 vehicle to Imperial Avenue in Calexico where Calexico Police Officers conducted a  
12 traffic stop on the vehicle. Calexico Police Officers identified the driver of the PT  
13 Cruiser as Alejandro RODRIGUEZ-Urena by what appeared to be a valid Mexican  
14 Driver's License, and was accompanied by a minor passenger. During the traffic stop,  
15 ICE agents were unable to positively identify RODRIGUEZ-Urena as the driver of the  
16 Mercury Villager. RODRIGUEZ-Urena was not wearing his heavy black jacket.

17 After the traffic stop was conducted, ICE agents observed the Mercury Villager  
18 van leaving the driveway. Prior to agents approaching the vehicle in the alley, the  
19 driver, later identified as Anna Chavez, exited the vehicle and ran towards the house.  
20 Agents contacted CHAVEZ and received consent to search the residence for the initial  
21 driver of the Mercury Villager. During the search, agents found the black jacket the  
22 driver was wearing.

23 CHAVEZ was advised of her rights per Miranda. CHAVEZ stated she  
24 understood her rights and was willing to answer questions without the presence of an  
25 attorney. CHAVEZ advised agents RODRIGUEZ-Urena was her boyfriend and driver of  
26 the Mercury Villager. CHAVEZ then advised agents RODRIGUEZ-Urena had called  
27 CHAVEZ to tell her about the traffic stop and insisted she move the Mercury Villager out  
28  
29

1 of the driveway right away. CHAVEZ stated RODRIGUEZ-Urena had told her this  
2 because he was on his way back from getting Jack in the Box Restaurant in Calexico  
3 and was going to park the PT Cruiser in the driveway. While speaking with CHAVEZ,  
4 RODRIGUEZ-Urena called her cellular telephone several times. Agents spoke with  
5 RODRIGUEZ-Urena and he stated he was in Mexicali, Mexico, but would turn himself in  
6 later that night.

7 ICE agents then returned the 1993 Mercury Villager to the vehicle secondary lot  
8 at the Calexico West Port of Entry for processing. A subsequent inspection of the  
9 vehicle by CBP Officers revealed thirty-one (31) packages located inside of  
10 compartments located within the driver and passenger side quarter panels and rear  
11 tailgate, twenty-one (21) packages located within the gas tank, and six (6) packages  
12 located within the spare tire of the vehicle. The 58 packages had a combined net weight  
13 of approximately 69.58 kilograms (153.07 pounds) of marijuana.

14 At the time of this complaint, Enrique ALEJOS-Rico and Alejandro RODRIGUEZ-  
15 Urena, remain at large.  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29